

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Bluestone Road, 25 ft. of c/1 Bluestone Road
11907 Bluestone Road
11th Election District
5th Councilmanic District
Lawrence Bartal, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-513-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pool) to be located in the third of the lot closest removed from any street in lieu of the third of the lot farthest removed from the street, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 76-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 400.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of June, 1991 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pool) to be located in the third of the lot closest removed from any street in lieu of the third of the lot farthest removed from the street, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 40 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/mm

PETITION FOR RESIDENTIAL VARIANCE

IN THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in this description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.1

To Permit An Accessory Structure (Pool) To Be Located
In The Third Of The Lot Closest Removed From Any
Street W. Lien As The Farthest Removed Was
Of The Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons
(Indicate hardship or practical difficulty)

Swimming pool cannot be constructed in septic reserve area; only area to install pool is in rear quadrant as shown on plan

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners:

(Type or Print Name)

Signature

Address

Business's telephone number

Legal Owner(s):

Lawrence Bartal

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/they presently reside at 11907 Bluestone Road,

Kingville, Maryland 21087

(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address (Indicate hardship or practical difficulty)

Swimming pool cannot be constructed in septic reserve area; only area to install pool is rear quadrant as shown on plan

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Lawrence Bartal

AFFIANT (Handwritten Signature)

Lawrence J. Bartal

AFFIANT (Printed Name)

Lawrence Bartal

AFFIANT (Handwritten Signature)

CAUDEZ L. BARTAL

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of June, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Lawrence and Candee Bartal

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

June 27, 1991

DATE

NOTARY PUBLIC
BALTIMORE CO. MD.

My Commission Expires: 11/1/92

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th
Date of Posting: 6/28/91
Posted for: 10 days
Petitioner: Lawrence Bartal
Location of property: 11907 Bluestone Road
Location of Sign: 11907 Bluestone Road
Remarks: Petition for Residential Zoning Variance
Posted by: J. Robert Haines
Date of return: 7/14/91
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-801-6180
Number

6/28/91 H9100513
PUBLIC HEARING FEES QTY PRICE
019 - ZONING VARIANCE (144) 1 X \$35.00
069 - POSTING SIGNS / ADVERTISING 1 X \$25.00
TOTAL: \$60.00
LAST NAME OF OWNER: BARTAL

DAAG-H0082N1CHRC \$60.00
Please Make Checks Payable To: Baltimore County 11107A06-28-91

County Validation

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 30, 1991

Mr. and Mrs. Lawrence Bartal
11907 Bluestone Road
Kingville, Maryland 21087

RE: Petition for Residential Zoning Variance
Case No. 91-513-A

Dear Mr. and Mrs. Bartal:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Zoning Variance has been granted, in accordance with the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal, within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 897-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mm
encl.
cc: Peoples Counsel

Baltimore County Government
Office of Zoning Administration
and Planning Management
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Lawrence Bartal
11907 Bluestone Road
Kingville, Maryland 21087

RE: CASE NUMBER: 91-513-A
LOCATION: E/S Bluestone Road, 25' W of c/1 Bluestone Road
11907 Bluestone Road

Dear Petitioner(s):

Please be advised that your petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 14, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is July 29, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR PICKUP IN THE OFFICE. PLEASE MAIL TO YOU.

Very truly yours,

J. Robert Haines
Zoning Commissioner

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 11907 BLUESTONE RD. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: BLUE RIDGE ESTATES
 plat book # 33, folio 5, lot 2, section 2

OWNER: LARRY & CANDE BARTZ

Petitioners' Exhibit 1

91-513-A

date: 6-23-91
 prepared by: J. J. J. Scale of Drawing: 1" = 30'

LOCATION INFORMATION

Councilmanic District: 5
 Election District: 22
 1"=200' scale map: 15-15-R
 Zoning: R-2
 Lot size: 2.99 acres square feet

SEWER: ☐ PRIVATE ☒
 WATER: ☐ CITY ☒
 Chesapeake Bay Critical Area: ☐
 Prior Zoning Hearings: 1, 2, 3

Zoning Office USE ONLY!
 reviewed by: ITEM #: CASE#: **513**

CASE NUMBER 91-513-11

PETITIONER'S EXHIBIT # 2

Side View Showing House - Existing Above Ground Pool and Proposed Pool Area

Proposed Pool Location with view of Existing House and Above Ground Pool

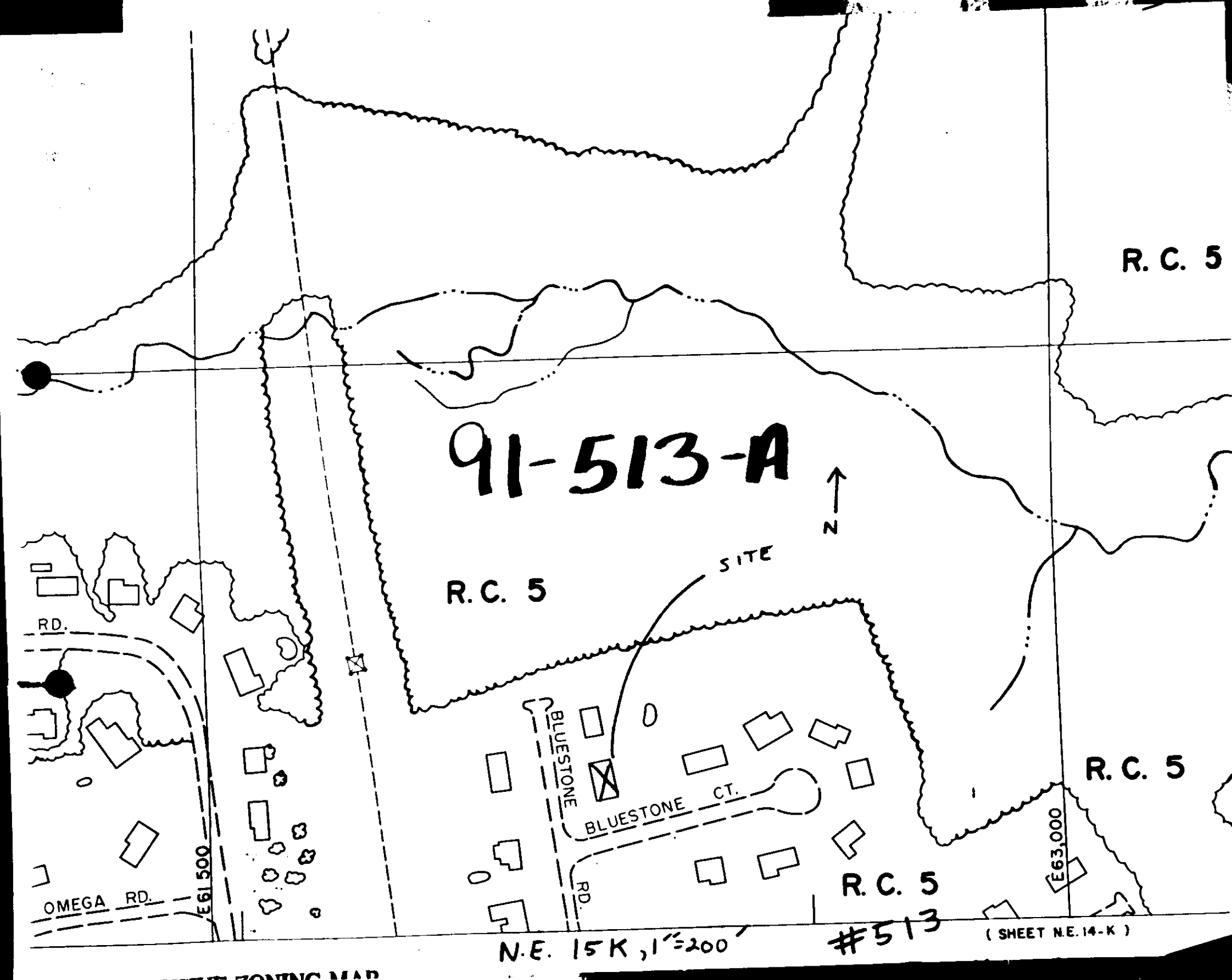
CASE NUMBER 91-513-11

PETITIONER'S EXHIBIT # 3

Proposed Pool Area

Proposed Pool Location

Existing Septic Area -- No Pool Allowed



SITE

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	SOUTH OF JERUSALEM	N E 15-K
DATE OF PHOTOGRAPHY		# 513
JANUARY 1962		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSDALE, W. V. 26151

91-153-A